

# PATENT COOPERATION TREATY

## PCT

INTERNATIONAL PRELIMINARY  
REPORT ON PATENTABILITY  
(Chapter II of the Patent Cooperation Treaty)  
(PCT Article 36 and Rule 70)



Applicant's or agent's file reference PEB435	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2005/003415	International filing date (day/month/year) 23.02.2005	Priority date (day/month/year) 25.02.2004
International Patent Classification (IPC) or national classification and IPC Int.Cl. H01L21/304 (2006.01), B24B9/00 (2006.01)		
Applicant EBARA CORPORATION		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> a total of <u>2</u> sheets, as follows: <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand 29.07.2005	Date of completion of this report 27.02.2006
Name and mailing address of the IPEA/JP <b>Japan Patent Office</b> 3-4-3, Kasumigaseki, Chiyoda-ku, Tokyo 100-8915, Japan	Authorized officer Tatsushi Onoda Telephone No. +81-3-3581-1101 Ext. 3364

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2005/003415

Box No. I Basis of the report

1. With regard to the **language**, this report is based on:

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into \_\_\_\_\_, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rules 12.3(a) and 23.1(b))
- ☐ publication of the international application (Rule 12.4(a))
- ☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a))

2. With regard to the **elements** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages \_\_\_\_\_ 1-23 \_\_\_\_\_ as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the claims:
- Nos. \_\_\_\_\_ 1-10, 12-16 \_\_\_\_\_ as originally filed/furnished
- Nos.\* \_\_\_\_\_ 11 \_\_\_\_\_ as amended (together with any statement) under Article 19
- Nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- Nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the drawings:
- ~~sheets~~/figs \_\_\_\_\_ 1-11 \_\_\_\_\_ as originally filed/furnished
- sheets/figs\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- sheets/figs\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2005/003415

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability, citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	1-16	YES
	Claims		NO
Inventive step (IS)	Claims	1-10	YES
	Claims	11-16	NO
Industrial applicability (IA)	Claims	1-16	YES
	Claims		NO

## 2. Citations and explanations(Rule 70.7)

D1:JP 2003-234314 A(EBARA CORP.,TOSHIBA CORP.)2003.08.22 & US 2004/0106363 A1

D2:JP 8-243916 A(EBARA CORP.,TOSHIBA CORP.)1996.09.24 & US 5885138 A & WO 01/78494 A2

D3:JP 7-124853 A(SHIN ETSU HANDOTAI CO. LTD.,FUJIKOSHI MACH CORP.)1995.05.16 & US 5733181 A & EP 650804 A1

D4:JP 2002-208572 A(EBARA CORP.)2002.07.26 & US 2002/98787 A1

The subject matter of claim 1-10 is novel, since it is not disclosed in any of the prior art documents cited in the international search report.

The subject matter of claim 11-12,14-15 does not appear to involve an inventive step in view of the document 1 cited in the ISR and the document 2 cited in the same. The person skilled in the art would easily conceive the idea of applying the technical feature [an internal pressure of the first chamber 27 (polishing area) being set to be lower than an internal pressure of the second chamber 26 (cleaning area), an internal pressure of the second chamber 26 (cleaning area) being set to be lower than an internal pressure of the clean room 4(external pressure)] employed in D2 to the invention disclosed in D1.

The subject matter of claim 13 does not appear to involve an inventive step in view of the document 1-3 cited in the ISR. The skilled person in the art would easily conceive the idea of employing the feature [a notch polishing unit] in D2 to substitute the feature [a whetstone 7] disclosed in D1.

The subject matter of claim 16 does not appear to involve an inventive step in view of the document 1-4 cited in the ISR. The person skilled in the art would easily conceive the idea of applying the technical feature [a CMP unit] in D4 to the invention disclosed in D1.